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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
ROY DEN HOLLANDER; SEAN MOFFETT; BRUCE
CARDOZO; DAVID BRANNON,

Plaintiffs,

v.

MICHAEL CHERTOFF, U.S. Department of Homeland
Security; Director EMILIO GONZALEZ, U.S.
Citizenship and Immigration Services (formerly
Immigration and Naturalization Service); U.S. Attorney
General MICHAEL MUKASEY; Director KEVIN
OHLSON, Executive Office of Immigration Review,
U.S. Department of Justice,

Defendants.
-----X

ECF Case

No. 08 Civ. 1521 (WHP)

NOTICE OF MOTION

PLEASE TAKE NOTICE that upon the Memorandum of Law in Support of Defendants' Motion to Dismiss, dated July 28, 2008, and upon all the pleadings and other papers filed in this action, defendants, by their attorney, Michael J. Garcia, United States Attorney for the Southern District of New York, will move this Court before the Honorable William H. Pauley, United

States District Judge, for an order dismissing this action pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure.

Dated: New York, New York
July 28, 2008

Respectfully submitted,

MICHAEL J. GARCIA
United States Attorney for the
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Attorney for Defendants

By: /s/
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